

## **Will of [Frances Newman](#) (Westminster 1775); proved 16 Sep 1775**

Procured, transcribed and given to me by [Raymond Mercier](#) with additions by Gay Brennan

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This is the last Will and testament of me [Frances Newman](#) of Old Palace Yard Westminster in the County of Middlesex of which Will I have caused two parts to be written both of the same Tenor Words and form

I do give unto Sir William Jones of Ramsbury Manor in the County of Wilts Baronet and to Francis Filmer of Lincolns Inn in the County of Middlesex Esquire the Sum of two thousand pounds of lawful money of Great Britain upon Trust and to the intent and purpose that they the said Sir William Jones and Francis Filmer<sup>1</sup> or the Survivor of them or the Executors or Administrators of such Survivor do and shall as soon as conveniently may be after they shall have received the said Sum of two thousand pounds place the same out at interest in three per Centum Bank Consolidated Annuities in the Names of them the said Sir William Jones and Francis Filmer or the survivor of them or the Executors or Administrators of such Survivor and that they the said Sir William Jones and Francis Filmer and the Survivor of them and the Executors or Administrators of such Survivor shall from thenceforth stand and be possessed of the Sum to be purchased in such Funds with such sum of two thousand pounds upon the Trust and to and for the intents and purposes herein after mentioned concerning the same (that is to say) upon Trust that they the said Sir William Jones and Francis Filmer or the Survivor of them or the Executors or Administrators of such Survivor shall and do pay the dividend Interest and produce of the said Bank Annuities as the same shall from time to time become due and be received unto Millicent Drought Now the wife of Mr Drought of Oxford Brewer during the term of her natural life or to such person or persons as she shall from time to time notwithstanding her Coverture by any writing or writings under her Hand direct or appoint to the intent that the same may not be at the disposal of or subject or liable to the Power Control debts of Eng[a]gements of her present or any future Husband but at her own Sole and Separate disposal or otherwise shall do permit and suffer her the said Millicent Drought to receive and take the dividends Interest and produce of the said Bank Annuities to and for her own Sole and separate use and benefit without being Subject or liable to the power Control debt or Engagements of her present or any future Husband and the Receipts of the said Millicent Drought alone under her Hand notwithstanding her Coverture or of the person or persons to whom she shall direct or appoint the dividends Interest and produce of the said Bank Annuities or any part thereof to be paid shall from time to time be sufficient discharge to the person or persons who shall so pay the same for so much thereof for which Such Receipts shall be given and from and after the death of the said Millicent Drought upon further Trust that the said Sir William Jones and Francis Filmer or the Survivor of them or the Executors or Administrators of such // 222 // Survivor shall and do stand possessed of the said Bank Annuities In Trust for all and every the Child and Children of the said Millicent Drought whether by her present or any future Husband to be equally divided between or amongst them and to be paid to Sons or Daughters respectively at the respective times and in manner herein after mentioned (that is to say) to such sons as shall be under the age of twenty one years at the death of their brother when they shall respectively attain that age and to such Daughters as shall be under that age and unmarried at the death of their Brother upon their attaining that age or day of marriage which shall first happen respectively and to such of the sons as shall attain twenty one years in their Brothers life time within three Calendar Months after her death with such Interest as shall have been made thereof from her death and to such of her daughters as shall have attained twenty one years or been married in their mothers life time within the like space of three Calendar months from her death with such Interest as shall have been made thereof from her death and my Will further is that if any of the said Children being Sons shall happen to die under the age of twenty one Years and without Issue living at their respective deaths or being daughters shall die under that age and unmarried then as well the original shares and shares of him her or them so dying as all other shares of the said Trust Fund as shall by the Tenor of this my will devolve upon him or her or them respectively

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<sup>1</sup> Sir William Jones and Francis Filmer's names appear 20 times in Frances Newman's will

by way of Survivorship or accruer shall from time to time as the case shall so happen go and accrue unto and vest in the Survivors and Survivor and others or other of the said Children to be paid at such times and in such manner as his her or their original Shares are by this my Will made payable and my Will further is that my said Trustees do and shall after the death of the said Millicent Drought until the respective portions hereby given to her Sons and Daughters shall become payable pursuant to this my Will pay apply and dispose of the Interest and yearly product of the said Bank Annuities for the maintenance and Education of otherwise for the benefit of such Child and Children respectively in such manner as to them shall seem requisite or expedient and my Will further is that in case the said Millicent Drought shall have no Issue or having such they shall all die before any of their Shares become payable within the true meaning of this my Will then upon Trust that the said Sir William Jones and Francis Filmer or the Survivor of them or the Executors or Administrators of such Survivor shall and do assign Transfer and dispose of the said Bank Annuities unto the Executors or Administrators of the said Millicent Drought to and for his her or their own proper use and benefit and I do give unto the said Francis Filmer and to Henry Mason of Cursitor Street in the County of Middlesex Gentleman the sum of five hundred pounds of lawful money of Great Britain upon Trust and to the intent // 222v // and purpose that they the said Francis Filmer and Henry Mason or the Survivor of them or the Executors or Administrators of such Survivor do and shall as soon as conveniently may be after they shall have received the said sum of five hundred pounds place the same out at Interest in three per Centum Bank Consolidated Annuities in the names of them the said Francis Filmer and Henry Mason or the Survivor of them or the Executors or administrators of such Survivor And that they the said Francis Filmer and Henry Mason and the Survivor of them and the Executors or Administrators of such Survivor shall from henceforth stand and be possessed of the sum to be purchased in such Fund with such Sum of five hundred pounds Upon the Trusts and to and for the intents and purposes herein after mentioned concerning the same that is to say Upon Trust that they the said Francis Filmer and Henry Mason or the Survivor of them or the Executors or Administrators of such Survivor shall and do pay the dividends Interest and produce of the said last mentioned Bank Annuities as the same shall from time to time become due and be received unto **Mary Bulley**<sup>2</sup> the wife of John Bulley of Reading in the County of Berks Surgeon one of the daughters of my late Cousin [Edmund Toll](#) during the term of her natural life or to such person or persons as she shall from time to time notwithstanding her Coverture by any writing or writings under her hand direct or appoint to the intent that the same may not be the disposal of or subject or liable to the power Control debts or Engagements of her present or any future Husband but at her own sole and separate disposal or otherwise shall and do permit and suffer her the said **Mary Bulley** to receive and take the dividends interest and produce of the said last mentioned Bank Annuities to and for her own sole and separate use and benefit without being subject or liable to the power control debts or engagements of her present or any future Husband and the Receipts of the said **Mary Bulley** alone under her hand notwithstanding her Coverture or of the person or persons to whom she shall direct or appoint the dividends interest and produce of the said last mentioned Bank Annuities or any part thereof to be paid shall from time to time be sufficient discharges to the person or persons who shall so pay the same for so much thereof for which such Receipts shall be given and from ad after the death of the said **Mary Bulley** upon further Trust that the said Francis Filmer and Henry Mason or the survivor of them or the Executors or Administrators of such Survivor shall and do stand possessed of the said last mentioned Bank Annuities in Trust for all and every the Child and Children of the said **Mary Bulley** (whether by her present or any future Husband) to be equally divided between or amongst them and to be paid to sons and daughters respectively at the respective times and in manner herein after mentioned (that is to say) to such sons as shall be under the age of twenty // 223 // one years at the death of their mother when they shall respectively attain that age and to such daughters as shall be under that age and unmarried at the death of their mother upon their attaining that age or day of marriage which shall first happen respectively and to such of the sons as shall attain twenty one years in their mothers lifetime within three calendar months of her death with such interest as shall have been made thereof from her death and to such of the daughters as shall have attained twenty one years or been married in their mothers lifetime within the like space of three calendar months from her death with such interest as shall have

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<sup>2</sup> Mary Bulley was the daughter of Edmund Toll who married surgeon John Bulley of Reading.

been made thereof from her death and my Will further is that if any of the said Children being sons shall happen to die under the age of twenty one years and without Issue living at their respective deaths or being daughters shall die under that age and unmarried then as well the original share and shares of him her or them so dying as all other shares of the said Trust Fund as shall by the Tenure of this my Will devolves upon him her or them respectively by way of survivorship or accruer shall from time to time as the case shall so happen go and accrue unto and vest in the survivors and survivor and others and other of the said Children to be paid at such times and in such manner as his her or their original shares are by this my Will made payable and my Will further is that my said Trustees do and shall after the death of the said **Mary Bulley** unto; the respective portions hereby given to her sons and daughters shall become payable pursuant to this my Will pay apply and dispose of the Interest and yearly produce of the said last mentioned Bank Annuities for the maintenance and education or otherwise for the benefit of such child and children respectively in such manner as to them shall seem requisite or expedient and my Will further is that in case the said **Mary Bulley** shall have no Issue or having such they shall all die before any of their shares become payable within the true meaning of this my Will upon Trust that the said Francis Filmer and Henry Mason or the survivor of them or the executors or administrators of such survivor shall and do assign Transfer and dispose of the said last mentioned Bank Annuities unto the executors or administrators to the said **Mary Bulley** to and for his her or their own proper use and benefit and I do give unto the said Francis Filmer and Henry Mason the further sum of one thousand pounds of lawfull money of Great Britain Upon Trust and to the intent and purpose that they the said Francis Filmer and Henry Mason or the survivor of them or the executors or administrators of such survivor do and shall as soon as conveniently may be after they shall have received the said sum of one thousand pounds place the same out at interest in three per centum Bank Consolidated Annuities in the names of them the said Francis Filmer and Henry Mason or the survivor of them or the executors or administrators of such survivor and that they // 223v // the said Francis Filmer and Henry Mason and the survivor of them and the executors and administrators of such survivor shall from thence forth stand and be possessed of the sum of one thousand pounds upon the trust and to and for the intents and purposes herein after mentioned concerning the same (that is to say) upon trust that they the said Francis Filmer and Henry Mason or the survivor of them or the executors or administrators of such survivor shall and do pay the dividends interest and produce of the said last mentioned Bank Annuities as the same shall from time to time become due and be received unto Catherine the wife of Captain Watson (formerly Catherine Samwell) during the term of her natural life or to such person or persons as she shall from time to time notwithstanding her Coverture by any writing or writings under her hand direct or appoint to the intent that the same may not be at the disposal of or subject or liable to the power control debts or engagements of her present or any future husband but at her own sole and separate disposal or otherwise as shall and do permit and suffer her the said Catherine Watson to receive and take the dividends interests and produce of the said last mentioned Bank Annuities to and for her own sole and separate use and benefit without being subject or liable to the power control debts or engagements of her present or any future Husband and the Receipts of the said Catherine Watson alone under her Hand notwithstanding her Coverture or of the person or persons to whom she shall direct or appoint the dividends interest and produce of the said last mentioned Bank Annuities or any part thereof to be paid shall from time to time be sufficient discharges to the person or persons who shall so pay the same for so much thereof for which such Receipts shall be given and from and after the death of the said Catherine Watson upon further trust that the said Francis Filmer and Henry Mason or the survivor of them or the executors or administrators of such survivor shall and do stand possessed of the said last mentioned Bank Annuities in trust for all and every the Child and Children of the said Catherine Watson whether by her present or any future husband to be equally divided between or amongst them and to be paid to sons and daughters respectively at the respective times and in manner herein after mentioned (that is to say) to such sons as shall be under the age of twenty one years at the death of their mother when they shall respectively attain that age and to such daughters as shall be under that age and unmarried at the death of their mother upon their attaining that age or day of marriage which shall first happen respectively and to such of the sons as shall attain twenty one years in their mothers life times within three calendar months after her death wit such interest as shall have been made thereof from her death and to such of the daughters as shall have attained twenty one years or become married in their

mothers life time with the like space of // 224 // three Calendar months from her death with such Interest as shall have been made thereof from her death and my Will further is that if any of the said children being Sons shall happen to die under the age of twenty one years and without Issue living at their respective deaths or being daughters shall die under that age and unmarried then as well the original Share and Shares of him her or them so dying as all other Shares of the said Trust Fund as shall by the Tenor of this my Will devolve upon him her or them respectively by way of Survivorship or accruer shall from time to time as the case shall so happen go and accrue unto and vest in the Survivors and Survivor and others and other of the said Children to be paid at such times and in such manner as his her or their original Shares are by this my Will made payable and my Will further is that my said Trustees do and shall after the death of the said Catherine Watson until the respective portions hereby given to her Sons and daughters shall become payable pursuant to this my Will apply and dispose of the Interest and yearly produce of the said last mentioned Bank Annuities for the maintenance and Education or otherwise for the benefit of such Child and Children respectively in such manner as to them shall seem requisite or expedient and my Will further is that in case the said Catherine Watson shall have no Issue or having shall they shall all die before any of their Shares become payable within the true meaning of this my Will then upon Trust that the said Francis Filmer and Henry Mason or the Survivor of them or the Executors or administrators of such Survivor shall and do assign transfer and dispose of the said last mentioned Bank Annuities unto the Executors or Administrators of the said Catherine Watson to and for his her or their own use and benefit and I do give unto the said Francis Filmer and Henry Mason the Sum of four thousand pounds of lawful money of Great Britain Upon Trust and to the intent and purpose that they the said Francis Filmer and Henry Mason or the Survivor of them or the Executors or Administrators of such Survivor do and shall as soon as conveniently may be after they shall have received the said Sum of four thousand pounds place the same out at Interest in three per Centum Bank Consolidated Annuities in the names of them the said Francis Filmer and Henry Mason or the Survivor of them or the Executors or Administrators of such Survivor and that they the said Francis Filmer and Henry Mason and the Survivor of them shall from henceforth stand and be possessed of the Sum to be purchased in such Fund with such Sum of four thousand pounds upon the Trusts and to and for the intents and purposes herein after mentioned concerning the same (that is to say) upon Trust that they the said Francis Filmer and Henry Mason or the Survivor of them or the Executors or administrators of such Survivor shall and do pay the dividends Interest and produce of the said last mentioned Bank Annuities as the same shall from time to time become due and be received unto [Ashburnham Newman Toll](#) of London Son of the said // 224v // [Edmund Toll](#) during the Term of his natural life or otherwise do and shall permit and suffer the said [Ashburnham Newman Toll](#) to receive and take the dividend Interest and produce of the same Bank Annuities to and for his own proper use and benefit and from and after the death of the said [Ashburnham Newman Toll](#) upon further Trust that the said Francis Filmer and Henry Mason or the Survivor of them or the Executors or Administrators of such Survivor shall and do stand possessed of the said last mentioned Bank Annuities In Trust for all and every the Child and Children of the said [Ashburnham Newman Toll](#)<sup>3</sup> to be equally divided between or amongst them and to be paid to Sons and daughters respectively at the respective times and in manner herein after mentioned (that is to say) to such sons as shall be under the age of twenty one years at the death of their Father when they shall respectively attain that age and to such daughters as shall be under that age and unmarried at the death of their Father upon their attaining that age or day of Marriage which shall first happen respectively and to such of the sons as shall attain twenty one years in their Fathers life time within three Calendar months after his death with such Interest as shall have been made thereof from his death and to such of the daughters as shall have attained twenty one years or be unmarried in their Fathers life time within the like space of three Calendar months from his death with such Interest as shall have been made thereof from his death and my Will further is that if any of the said Children being Sons shall happen to die under the age of twenty one years without Issue living at their respective deaths or being daughters shall die under that age and unmarried then as well the original Share and Shares of him her or them so dying as all other Shares of the said Trust Fund as shall by the Tenor of this my Will devolve upon him her or them respectively by way of Survivorship or accruer

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<sup>3</sup> [Ashburnham Newman Toll](#) had no children. He died in 1800.

shall from time to time as the case shall happen go and accrue until and vest in the Survivors and Survivor others and other of the said Children to be paid at such times and in such manner as his her or their original Shares are by this my Will made payable and my Will further is that my said Trustees do and shall after the death of the said [Ashburnham Newman Toll](#) until the respective portions hereby given to his Sons and daughters shall become payable pursuant to this my Will pay apply and dispose of the Interest and yearly produce of the said Bank Annuities for the Maintenance and Education or otherwise for the benefit of such Child and Children respectively in such manner as to them shall seem requisite or expedient and my Will further is that in case the said [Ashburnham Newman Toll](#) shall have no Issue or having such they shall all die before any of their Shares become payable within the true meaning of this my Will then upon Trust that the said Francis Filmer and Henry Mason or the Survivor of them or the Executors or Administrators of such // 225 // Survivor shall and do assign Transfer and dispose of the said last mentioned Bank annuities unto the Executors or Administrators of the said [Ashburnham Newman Toll](#) to and for his her and their own proper use and benefit and I do give unto the said Sir William Jones and Francis Filmer the Sum of three thousand pounds of lawful money of Great Britain upon Trust and to the intent and purpose that they the said Sir William Jones and Francis Filmer or the Survivor of them or the Executors or Administrators of such Survivor do and shall as soon as conveniently may be after they shall have received the said Sum of three thousand pounds place the same out at interest in three per Centum Bank Consolidated Annuities in the Names of them the said Sir William Jones and Francis Filmer or the survivor of them or the Executors or Administrators of such Survivor and that they the said Sir William Jones and Francis Filmer and the Survivor of them and the Executors or Administrators of such Survivor shall from thenceforth stand and be possessed of the Sum to be purchased in such Funds with such sum of three thousand pounds upon the Trusts and to and for the intents and purposes herein after mentioned concerning the same (that is to say) upon Trust that they the said Sir William Jones and Francis Filmer or the Survivor of them or the Executors or Administrators of such Survivor shall and do pay the dividend Interest and produce of the said Bank Annuities as the same shall from time to time become due and be received to and for the use and benefit of **Elizabeth Langham Purbecca Langham** and **Jane Langham** daughters of the late **Purbeck Langham**<sup>4</sup> Esquire deceased equally Share and Share alike until they shall respectively attain the age of twenty one years and when and so soon as the said **Elizabeth Langham** shall have attained her said age of twenty one years Upon Trust that they the said Sir William Jones and Francis Filmer or the Survivor of them or the Executors or Administrators of such Survivor shall and do assign transfer and dispose of one full third part of the principal or Capital of the Bank Annuities to be purchased with the said Sum of three thousand pounds unto the said **Elizabeth Langham** to and for her own proper and absolute use and benefit and when and as soon as the said **Purbecca Langham** shall have attained her said age of twenty one years Upon Trust that they the said Sir William Jones and Francis Filmer or the Survivor of them or the Executors or Administrators of such Survivor shall and do assign transfer and dispose of one full third part of the Principal or Capital of the said last mentioned Bank Annuities unto the said **Purbecca Langham** to and for her own proper and absolute and benefit and when and so soon as the said **Jane Langham** shall have attained her said age of twenty one years upon Trust that they the said Sir William Jones and Francis Filmer or the Survivor of them or the Executors or Administrators of such Survivor shall and do assign transfer and dispose of the remaining third part of the said Principal or Capital of the said last mentioned Bank Annuities // 225v // unto the said **Jane Langham** to and for her own proper and absolute use and benefit but in case any of them the said **Elizabeth Purbecca** and **Jane Langham** shall happen to depart this life before she or they shall have attained her or their said age s of twenty one years then upon Trust that they the said Sir William Jones and Francis Filmer or the Survivor of them or the Executors or Administrators of such Survivor shall and do assign

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<sup>4</sup> Purbeck Langham was a son of Sir John Langham of Cottesbrooke and Walgrave - ref: [The Baronetage of England, Or the History of the English Baronets Volume 2 p.50](#). Sir John first married Elizabeth, eldest daughter of Sir Thomas Samwell, sister of [Frances Samwell](#) who was [Frances Newman](#)'s mother. Purbeck Langham was the son of Sir John's second wife Maria Temple; his three daughters Elizabeth, Jane and Purbecca were thus Francis's step-first cousins once removed.



transfer and dispose of the part or share of her or them so dying as well her original share as what may have devolved upon her by Survivorship or accruer unto the Survivors of them if more than one equally share and share alike and if but one then to such Survivor and also to pay and apply the dividends Interest and produce thereof to and for the use and benefit of such Survivors or Survivor in the like manner in the mean time but in case the said **Elizabeth Purbecca** and **Jane Langham** shall all happen to depart this life before they shall have attained their said ages of twenty one years then Upon Trust that the said Sir William Jones and Francis Filmer or the Survivor of them or the Executors or Administrators of such Survivor shall and do assign transfer and dispose of the whole of the said last mentioned Bank Annuities unto the Executors or Administrators of the Survivor of them the said **Elizabeth Purbecca** and **Jane Langham** to and for his her or their own proper use and benefit and I do give unto Sir Robert Burdett of Foremark in the County of Derby Baronet and George Ashby of Haslebeeche in the said County of Northampton Esquire the sum of four thousand pounds of lawful money of Great Britain upon Trust and to the intent and purpose that they the said Sir Robert Burdett and George Ashby or the Survivor of them or the Executors or Administrators of such Survivor do and shall as soon as conveniently may be after they shall have received the said Sum of four thousand pounds place the same out at interest in three per Centum Bank Consolidated Annuities in the Names of them the said Sir Robert Burdett and George Ashby or the survivor of them or the Executors or Administrators of such Survivor and that they the said Sir Robert Burdett and George Ashby and the Survivor of them or the Executors or Administrators of such Survivor shall from thenceforth stand and be possessed of the Sum to be purchased in such Funds with such sum of four thousand pounds upon the Trusts and to and for the intents and purposes herein after mentioned concerning the same (that is to say) upon Trust for all and every the Child and Children of the said **Sir James Langham**<sup>5</sup> now living and hereafter to be Born and which shall be living at the time of my decease (other than and except an Eldest or only Son) to be equally divided between or amongst such Younger Children (if more than one) share and share alike in manner following (that is to say) to such of them as are or shall be sons as and when they shall respectively attain the age of twenty one years and to such of them as are or shall be daughters as and when they shall respectively attain the said Age of twenty one years or be married and in case there // 226 // shall be but one such Child living at the time of my decease or being more such Children than one living and all of them save one shall happen to die before any of them being a Son or Sons shall attain his said age of twenty one years or being a daughter or daughters shall attain that age or be unmarried Then In Trust for such a surviving or only Younger Child as and when such Child if a Son shall attain the said age of twenty one years or being a daughter shall attain that age or be married and the yearly interest and produce of the said last mentioned Bank Annuities in the mean time to be paid applied and disposed of to and for their respective use and benefit provided nevertheless that in case all the same Children shall happen to die before any of them being a Son or Sons shall attain the said age of twenty one years or being a daughter or daughters shall attain that age or be married then the said last mentioned Bank Annuities and the yearly Interest and produce thereof from henceforth to arise and be received shall be assigned Transferred paid go and remain unto the Executors or Administrators of the Survivor of such Children to and for his her or their own proper use and benefit and I do give unto the said Francis Filmer and Henry Mason the further Sum of five hundred pounds of lawful money of Great Britain Upon Trust and to the intent and purpose that they the said Francis Filmer and Henry Mason or the Survivor of them or the Executors or Administrators of such Survivor do and shall as soon as conveniently may be after they shall have received the said Sum of five hundred pounds last mentioned place the same out at interest in three per Centum Bank Consolidated Annuities in the Names of them the said Francis Filmer and Henry Mason or the survivor of them or the Executors or Administrators of such Survivor and that they the said Francis Filmer and Henry Mason and the Survivor of them and the Executors or Administrators shall from thenceforth stand and be possessed of the Sum to be purchased in such Funds with such sum of five hundred pounds upon the Trusts and to and for the intents and purposes herein after mentioned concerning the same (that is to say) upon Trust that they the said Francis Filmer and Henry

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<sup>5</sup> Sir James Langham (d.1795) was the eldest grandson of Sir John Langham and Elizabeth Samwell. He was survived by one child: Sir William Langham who had two children William b.1796 and Henrietta b.1797 – ref: [The Baronetage of England, Or the History of the English Baronets Volume 2 p.51.](#)

Mason or the Survivor of them or the Executors or Administrators of such Survivor shall and do pay the dividend Interest and produce of the said Bank Annuities as the same shall from time to time become due and be received unto Thomas Parratt of Westminster perriwig maker during the term of his natural life or otherwise do and shall permit and suffer the said Thomas Parratt to receive and take the dividend Interest and produce of the same Bank Annuities to and for his own proper use and benefit and from and after the death of the said Thomas Parratt Upon Trust that they the said Francis Filmer and Henry Mason or the Survivor of them or the Executors or Administrators of such Survivor do and shall assign Transfer and // 226v // dispose of the said last mentioned Bank Annuities unto Thomas Richard Elizabeth and Mary the four Eldest Children of the said Thomas Parratt equally between and amongst them share and share alike to and for their respective proper use and benefit and my Will is and I do hereby declare that in case the said Bank Annuities respectively herein before and by me directed to be purchased as aforesaid or any part of such Bank Annuities shall be at any time or times hereafter during the continuance of the respective Trusts thereof aforesaid paid off then and in such case the money so to be paid shall as soon as Conveniently may be after the receipt thereof be laid out in the purchase of some other Government Security or Securities in the Names of the said several Trustees thereof respectively or the Survivors or Survivor of them or the Executors or Administrators of such Survivor upon the same Trusts and for the same intents and purposes as are herein before declared of and concerning the said Bank Annuities respectively herein before by me directed to be purchased as aforesaid and Whereas I have by a Bond or some such like Instrument engaged to pay unto James Parratt who was formerly my Servant an Annuity of thirty pounds for his life Now I do hereby ratify and Confirm the said Annuity and do direct the same to be paid by my Executor herein after named unto the said James Parratt for and during the Term of his natural life accordingly

And I do hereby give unto the said Sir William Jones and Francis Filmer And to John Shadwell of Romney Row Westminster Esquire Wenman Samwell of Scaldwell in the County of Northampton Esquire and Mrs Mary Pittman (the wife of Mr Pittman of Odiham in the County of Hants) to each of those five persons the Sum of five hundred pounds a piece to and for their own proper use and benefit and I give to **Miss Maria Langham Miss Frances Langham and Miss Phillis Langham**<sup>6</sup> all of Oxford aforesaid the Sum of one thousand pounds a piece and I give to **Mrs Mary Toll**<sup>7</sup> of London the Sum of one thousand pounds and I give to **Miss Jane Toll**<sup>8</sup> of London the Sum of two thousand pounds and I give to Mr **Richard Newman Toll** now or late of Northampton Surgeon and to **Miss Ann Toll**<sup>9</sup> of Milton in the County of Northampton the Sum of one thousand pounds a piece and I give to Mr Richard Davenport of Essex Street the Sum of one hundred pounds and I give to the **Reverend Mr John Toll**<sup>10</sup> of Kingsclear in the County of Southampton the Sum of one thousand pounds and I give to the aforesaid Mr **Ashburnham Newman Toll** the Sum of five thousand pounds over and above what I have herein before given In Trust for and in favor of him and his Children to and for his own proper use and benefit and I give the Sum of five hundred pounds to the said Sir William Jones Upon Trust to pay apply and dispose of the same to and for the use and benefit of **Mr Richard Langham** Son of the late **Mr Herbert Langham**<sup>11</sup> either by purchasing an Annuity for the // 227 // life of the said **Richard Langham** or otherwise and in such Sort manner and form as the said Sir William Jones in his discretion shall think fit and I give to the said Henry Mason the sum of one hundred pounds for his own use over and above what I may stand indebted to him at the time of my decease And I give to my maid Servant Elizabeth Lane Perry the sum of nine hundred pounds recommending her to lay the same out in an Annuity for her life And I give to Ann Paul and Isabella Paul both of Wood Street Westminster the Sum

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<sup>6</sup> Maria, Frances and Phillis Langham were daughters of Stephen Langham, fourth son of Elizabeth Samwell. The girls were therefore [Frances Newman](#)'s first cousins once removed. Ref: [The Baronetage of England, Or the History of the English Baronets Volume 2 p.51](#).

<sup>7</sup> Mary Toll was probably the wife of [Edmund Toll](#). His daughter Mary Bulley is mentioned elsewhere in this will.

<sup>8</sup> Jane Toll was the younger daughter of [Edmund Toll](#).

<sup>9</sup> Anne Toll was the elder daughter of Edmund's brother, [Ashburnham Toll](#).

<sup>10</sup> Rev. John Toll of Kings Clear was the grandson of Anne Toll (nee Newman) and son of [Frederick Toll](#). He died d.s.p.

<sup>11</sup> Herbert Langham was the fifth son of Elizabeth Samwell. Richard was his only son and was therefore [Frances Newman](#)'s first cousin once removed.

of one hundred pounds a piece and I give to my Man Servant Benjamin Clark and to my Cook Maid Jane Harris the sum of two hundred pounds a piece and I give to Joseph Gill my Coachman if he shall be living with me at the time of my decease the Sum of one hundred pounds And I also give to each and every one of my domestic Servants who shall have lived with me for the space of one Year next immediately preceeding my death a years wages a piece over and above such wages as may be due to them respectively at the time of my decease and I give to the poor of each of the Parishes of [Evercreech](#) in the County of Somerset [Fyfehead Magdalen](#) East Stower and West Stower in the said County of Dorset of [Thornbury](#) in the County of Gloucester and of [Preston Deanery](#) in the said County of Northampton the sum of ten pounds respectively to be paid and distributed to and amongst such of the respective poor of each Parish by my Executor herein after named And in such Shares and proportions as he shall see fit and I do hereby also give to my said Servant Maid Elizabeth Lane Perry as much of my Household Goods as she shall chuse to Furnish a small House and all my Linnen both Body Linnen and Household Linnen with my two new Quilts and also such part of my China and Books as she may chuse with the small looking Glasses and two of the small Pier Glasses and also so many of my small pictures as she shall chuse no exceeding ten in number and always excepting one small picture of my Ancestor **Mrs Edmunds**<sup>12</sup> which is set in Gold I also give to her my Metal Watch and all my wearing apparel and new Silk or other new things that may not be made up but which at present are intended for my own use or Wear together also with all such Wines and other Liquors as may be left by me at the time of my decease and I hereby Give and bequeath all my Jewells and Trinketts of what kind soever unto the said **Millicent Drought**<sup>13</sup> **Maria Langham Frances Langham** and **Phillis Langham** all of Oxford aforesaid equally to be divided between them as near as may be Share and Share alike And my Will is and I do hereby direct and declare that the said severall pecuniary Legacies herein before by me given as aforesaid after payment of my Just debts and my Funeral Charges and the Expenses attending the Execution of this my Will shall be raised and paid by the said **Sir James Langham** my Executor herein after appointed within the space of one // 227v // next after my decease by and out of my personal Estate not herein before by me specifically given and disposed of so far as the same Will extend and to whom I do hereby give and bequeath the same for that purpose accordingly but in case such my personal Estate shall be found to be insufficient to pay and discharge the whole of the said debts Charges Expenses and pecuniary Legacies then my mind and Will is And I hereby direct and declare that such insufficiency shall be made good by and out of my Messuages Lands Tenements and Hereditaments (other than and except my several Estates in the Counties of Northampton Gloucester Dorset and Somerset) so far as the same will extend to which and I do hereby give and devise all my said Messuages Lands Tenements and Hereditaments (other than and except my said Estates in the said Counties of Northampton Gloucester Dorset and Somerset) with all and singular their and every of their Rights Members and Appurtenances and all my Estate and Interest known unto the said **Sir James Langham** and to his Heirs and Assigns Upon Trust And to the intent and purpose that he the said **Sir James Langham** or his Heirs shall and do as soon as conveniently may be after such Insufficiency shall be ascertained and known by Mortgage or Sale all or a Sufficient part of the said Messuages Lands Tenements and Hereditaments other than and except my said Estates in the Counties of Northampton Gloucester Dorset and Somerset as to the said **Sir James Langham** or his Heirs shall seem meet or by and with the Rents and Profits of the same premisses in the mean time or by all or any of the said ways or means raise and levy such Sum and Sums of money as shall be sufficient or as far as the same will extend to pay and discharge all such debts charges Expenses and legacies as aforesaid and I do hereby declare that in case of any Sale or Sales of any part of the said premisses hereby directed to be sold the Receipt or Receipts of the said **Sir James Langham** or his Heirs or Assigns shall be good and sufficient releases and discharges to the purchasor or purchasors thereof for so much of the purchase monies for which such receipt or receipts shall be given without such purchasor or purchasors being obliged to see to the application or being answerable for the misapplication thereof and upon further Trust that the said **Sir James Langham** or his Heirs or assigns

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<sup>12</sup> Mrs Edmunds was probably Frances's great grandmother – viz. mother of Grace Edmunds (wife of [Richard Newman of Evercreech](#).)

<sup>13</sup> Millicent was the eldest daughter of Stephen Langham, fourth son of Elizabeth Samwell – ref: [The Baronetage of England, Or the History of the English Baronets Volume 2 p.51.](#)



shall and do by and out of the monies to be raised and levied as aforesaid pay and discharge all such debts charges Expenses and Legacies as my said personal estate shall be insufficient to pay and discharge or as far as such monies will extend to pay and discharge the same And in case any Surplus shall remain after payment thereof then that the said **Sir James Langham** and his Heirs shall and do retain and keep such Surplus to and for his and their own use and benefit but in case my said Messuages Lands Tenements and Hereditaments so directed to be Mortgaged or Sold be insufficient to pay and discharge // 228 // the whole of the said debts Charges Expenses and pecuniary Legacies then my Will is and I do hereby direct and declare that such insufficiency as last mentioned shall be made good by and out of my said Estates in the said Counties of Northampton Gloucester Dorset and Somerset in the proportions following (that is to say) one third part of such Insufficiency out of my said Estates in the said County of Northampton another third part thereof out of my Estates in the County of Gloucester and the other third part thereof out of my said Estates in the Counties of Dorset and Somerset and I do hereby charge the same Estates and Premises with the payment of such insufficiency agreeable to such proportions thereof accordingly And I do hereby give devise and bequeath all my Messuages Lands Tenements and Hereditaments as well Freehold of Inheritance as Leasehold for lives or otherwise in the Parish of [Fifehead Magdalen](#) or elsewhere in the County of Dorset with all and singular their and every of their Rights Members and Appurtenances and also all my Messuages Lands Tenements and Hereditaments called Evercreech Park in the said County of Somerset all other my Messuages Lands Tenements and Hereditaments in the said County of Somerset with all and singular their and every of their Rights Members and Appurtenances and all my Estate each(?) Interest therein unto the said **Sir James Langham** his Heirs Executors Administrators and Assigns Subject nevertheless unto and chargeable with the payment of one full theirs part of such Sum and Sums of Money as my said personal Estate and my said Messuages Lands Tenements and Hereditaments first herein before mentioned shall be insufficient to pay my said debts Charges Expanses and pecuniary Legacies herein before charged thereon and which third part of such Insufficiency I do hereby direct the said **Sir James Langham** his Heirs or Assigns to raise advance or pay within the space of three Calendar Months next after the amount of such Insufficiency shall be ascertained and known And for the better and made easy and Effectual raising of the other two third parts of such Insufficiency as aforesaid I do hereby give and direct All my Messuages Lands Tenements and Hereditaments in the Parish of Preston Deanery or elsewhere in the County of Northampton with all and singular their and every of their Rights Members and Appurtenances and also all my Messuages Lands Tenements and Hereditaments called Thornbury Park in the County of Gloucester and all other my Messuages Lands Tenements and Hereditaments in the said County of Gloucester and all other my Messuages Lands Tenements and Hereditaments in the said County of Gloucester with all and singular their and every of their Rights Members and Appurtenances And all my Estates and Interest therein respectively unto the said Sir William Jones and Francis Filmer their Executors Administrators and Assigns for the Term of four hundred years without Impeachment of Wast upon the Trusts herein after mentioned concerning the same and as for and concerning my said Messuages Lands Tenements and Hereditaments in the said County of Northampton (Subject to the said Term of four hundred years) I do hereby // 228v // give and devise the same and every part thereof with all and singular their and every of their Rights Members and Appurtenances and all my Estate and Interest therein unto [Charles Toll of Preston Deanery](#) aforesaid and for and during the Term of his natural life without Impeachment of Waste and with such powers as are herein after mentioned with respect thereto and from and after the determination of that Estate I do give and devise the same Premises with their and every of their Rights Members and Appurtenances unto Sir Justinian Isham of Lamport in the said County of Northampton Baronet and Sir William Dolben of Finedon in the same County Baronet and their Heirs during the life of the said [Charles Toll](#) In Trust to support and preserve the Contingent uses and Estates herein after Limited from being defeated or destroyed And for that purpose to make Entries or bring actions as the case shall require Yet nevertheless to permit and suffer the said [Charles Toll](#) during his life to receive and take the Rents and Profits thereof and if every part thereof to and for his and their own use and benefit and from and after the decease of the said [Charles Toll](#) my Will is and I do hereby direct and declare that **Hester Toll** Wife of the said [Charles Toll](#) and her Assigns (in case she shall happen to Survive the said [Charles Toll](#) her Husband) shall and may yearly and every year during the Term of her natural life have receive and take by and out of the said Messuages Lands tenements and

Hereditaments in the said County of Northampton owe Annuity of yearly Rent charge of two hundred pounds of lawful Money of Great Britain Free and clear of and from all taxes Charges and deductions whatsoever Parliamentary or otherwise The same Annuity or Rent Charge to be paid to the said **Hester Toll** at the four most usual Feasts or days of payment in the year (that is to say) the Feast of Saint John the Baptist the Feast of Saint Michael the Archangel the Birth of our Lord Christ and the Annunciation of the Blessed Virgin Mary by even(?) and equal portions the first payment thereof to begin and be made on such of the same Feasts or days of payment as shall next happen after the decease of the said [Charles Toll](#) and my Will is and I do hereby direct and declare that if it shall happen that the said annuity or yearly Rent charge of two thousand pounds or any part thereof shall be behind or unpaid by the space of twenty eight days next after any of the said Feasts or days of payment whereon the same is herein before appointed to be paid then and so often it shall and may be lawful to and for the said **Hester Toll** and her Assigns into and upon all and singular the said Messuages Lands Tenements and Hereditaments in the said County of Northampton or unto and upon any part thereof to enter and distrain and the distress and distresses then and there found to take and impound or otherwise dispose thereof according to the Course of Law until she or they shall of the said Annuity or Yearly Rent Charge of two hundred pounds and all arrears thereof and all Costs Charges and Expenses occasioned by nonpayment // 229 // thereof be fully satisfied and paid provided always that in case the said Annuity or Yearly Rent Charge of two hundred pounds or any part thereof shall happen to be behind and unpaid by the space of Forty days next over or after either of the said Feasts or days of payment whereon the same is herein before appointed to be paid as aforesaid (being lawfully demanded) then and so often it shall and may be lawful to and for the said **Hester Toll** and her Assigns into and upon the same Messuages Lands Tenements and Hereditaments or into any part thereof in the Name of the whole to enter and the same to have and Hold and to receive and take the Rents and profits thereof and of every part thereof to and for her and their own use and benefit until she or they shall be thereby or therewith or otherwise fully satisfied and paid the said Annuity or Rent Charge of two hundred pounds and all arrears thereof and also so much thereof as shall incur and grow due during such time as she shall continue in possession of the said premisses and by reason of such Entry as aforesaid together with Costs damages and Expenses as shall be occasioned by the nonpayment thereof at the days and times hereinbefore for that purpose appointed and from and immediately after the decease of the said [Charles Toll](#) (Subject to the said Term of four hundred years and to the payment of the said Annuity or Yearly Rent Charge of two hundred pounds) I do hereby give and devise the said Messuages Lands Tenements and Hereditaments in the said County of Northampton with their and every of their Rights Members and Appurtenances To Thomas Dicey of Northampton and the before named Henry Mason their Executors Administrators and Assigns for the Term of six hundred years without impeachment of or for any manner of Wast Upon the Trusts nevertheless and to and for such Intents and purposes and under and subject to such provisoes as are herein after mentioned expressed and declared of and concerning the same and from and after the end and Expiration or other determination of the said term of six hundred years and subject thereunto I do give and devise the said Messuages Lands tenements and Hereditaments in the said County of Northampton with their every of their Rights Members and Appurtenances unto [James Newman Toll](#) the Son of the said [Charles Toll](#) for and during the Term of his natural life without Impeachment of Wast and with such powers as are herein after mentioned with respect thereto and from and after the determination of that Estate then I do give the same premisses with their and every of their Rights Members and Appurtenance unto the said Sir Justinian Isham and Sir William Dolben and their Heirs during the life of the said [James Newman Toll](#) In Trust to support and preserve the Contingent uses and Estates herein after limited from being defeated or destroyed and for that purpose to make Entries or bring Actions as the case shall require yet nevertheless to permit and suffer the said [James Newman Toll](#) during his life // 229v // to receive and take the Rents and profits thereof and of every part thereof to and for his and their own use and benefit and from and after the decease of the said [James Newman Toll](#) I do give and devise the said Messuages Lands Tenements and Hereditaments in the said County of Northampton with their and every part of their Right Members and Appurtenances to the first son of the body of the said [James Newman Toll](#) lawfully to be begotten and the heirs male of the Body of such first son lawfully sprung and for default of such Issue to the second third fourth and all and every other the son and sons of the Body of the said [James Newman Toll](#) lawfully to be

begotten severally successively and in remainder one after another as they and every of them shall be in seniority of age and priority of birth and of the several and respective heirs male of the Body and Bodys of all and every such son and sons lawfully sprung the elder of such sons and the heirs male of his body sprung always to be preferred and to take before the younger of such son and sons and the heir male of hi and their Body and Bodies issuing and for default of such Issue then I do give and devise the said Messuages Lands Tenements and Hereditaments in the said County of Northampton with their and every part of their Rights Members and Appurtenances to the second and all and every other the son and sons of the body and the said [Charles Toll](#) lawfully to be begotten severally successively and in remainder one after another as they and every of them shall be in seniority of age and priority of Birth and the several and respective heirs male of the Body and Bodies of all and every such Son and Sons and the heirs male of his Body Issuing always to be preferred and to take before the younger of such sons and sons and the heirs male of his and their Body and Bodies Issuing and for default of such Issue then I do give and devise the said Messuages Lands Tenements and Hereditaments in the said County of Northampton with their and every of their Rights Members and Appurtenances unto the aforesaid [Richard Newman Toll](#) now or late of Northampton for and during the term of his natural life without Impeachment of Wast and with such power as are herein after mentioned with respect thereto and from and after the determination of that Estate then I do give and devise the same premisses with their and every of their Right Members and Appurtenances unto the said Sir Justinian Isham and Sir William Dolben and their heirs during the life of the said [Richard Newman Toll](#) In Trust to support and preserve the Contingent uses and Estates herein after limited from being defeated or destroyed and for that purpose to make Entries or bring Actions as the Case shall require yet nevertheless to permit and suffer the said [Richard Newman Toll](#) during his life to receive and take the Rents and profits thereof and of every part thereof to and for his and their own use and benefit and from and after the decease // 230 // of the said [Richard Newman Toll](#) I do give and devise the said Messuages Lands Tenements and Hereditaments in the County of Northampton with their and every of their rights Members and Appurtenances to the first son of the Body of the said [Richard Newman Toll](#) lawfully to be begotten And the Heirs Male of the Body of such First Son lawfully Issuing and for default of such Issue to the second third fourth and all and every the Son and Sons of the Body of the said [Richard Newman Toll](#) lawfully to be begotten severally successively and in remainder one after another as they and every of them shall be in seniority of Age and Priority of Birth and of the several and respective heirs Male of the Body and Bodies of all and every such Son and Sons lawfully Issuing the Elder of such Sons and the Male of his Body Issuing always to be preferred and to take before the Younger of such Son and Sons and the Heirs Male of his and their Bodies Issuing and for default of such Issue then I do give and devise the said Messuages Lands Tenements and Hereditaments in the said County of Northampton with their and every of their Rights Members and Appurtenances unto the Reverend [Ashburnham Philip Toll](#) of Preston Deanery aforesaid for and during the Term of his natural life without impeachment of Wast and with such powers as are herein after mentioned with respect thereto and from and after the determination of that Estate then I go give and devise the same Premisses with their and every of their Rights Members and Appurtenances unto the said Sir Justinian Isham and Sir William Dolben and their Heirs during the life of the said [Ashburnham Philip Toll](#) In Trust to support and preserve the Contingent uses and Estates herein after limited from being defeated or destroyed and for that purpose to make Entries or bring Actions as the case shall require yet nevertheless to permit and suffer the said [Ashburnham Philip Toll](#) during his life to receive and take the Rents and profits thereof and of every part thereof to and for his and their own use and benefit and from and after the decease of the said [Ashburnham Philip Toll](#) I do give and devise the said Messuages Lands Tenements and Hereditaments in the said County of Northampton with their and every of their Rights Members and Appurtenances the first Son of the Body of the said [Ashburnham Philip Toll](#) lawfully to be begotten and the Heirs Make of the Body of such Son lawfully Issuing and for default of such Issue to the second third fourth and all and every other the Son and Sons of the Body of the said [Ashburnham Philip Toll](#) lawfully to be begotten severally successively and in remainder one after another as they and every of them shall be in seniority of Age and Priority of Birth and of the several and respective Heirs Male of the Body and Bodies of all and every such Son and Sons lawfully Issuing the Elder of such Sons and the Heirs Male of his Body Issuing always to be preferred and to take before the Younger of such Son and Sons and the Heirs Male of his and their Bodies Issuing and

for default of such Issue I do give and devise the said Messuages Lands // 230v // Tenements and Hereditaments in the said County of Northampton with their and every of their Rights Members and Appurtenances unto the Right Heirs of the said [Charles Toll](#) for ever and as for and concerning the said Term of six hundred years herein before limited to the said Thomas Dicey and Henry Mason of and in the said Messuages Lands Tenements and Hereditaments in the said County of Northampton my Will is and I do hereby declare that the same is so limited to them Upon such Trusts and for such intents and purposes and under and subject to such provisoes as are herein after mentioned expressed and declared of and concerning the same (that is to say) Upon Trust that they the said Thomas Dicey and Henry Mason their Executors Administrators and Assigns shall and do either in the lifetime of the said [Charles Toll](#) with his consent or else not till after his death by demise sale Mortgage of the said Term of six hundred years of and in the said Messuages Lands Tenements and Hereditaments therein comprized or of a Competent part thereof or by such other ways and means as they or the Survivor of them or the Executors or Administrators of such Survivor shall think fir to raise and levy or Borrow and take up at Interest the sum of five thousand pounds of lawful money of Great Britain for the portion and portions of all and every the Child or Children of the Body of the said [Charles Toll](#) lawfully begotten (not being the Eldest or only Son) the same to be paid on manner following (that is to say) if but one such Child then the whole Sum of five thousand pounds to be paid to such only Child and if two or more such Children then the said Sum of five thousand pounds to be equally divided amongst them share and share alike the said portion or portions of such Child or Children being a Son or Sons to be paid at their respective Ages of twenty one years and being a daughter or daughters at their respective ages of twenty one years or days of Marriage which shall happen if the same shall happen after the decease of the said [Charles Toll](#) But if in his lifetime then within three months after his decease and not sooner unless by and with the Consent of the said [Charles Toll](#) and upon this further Trust that they the said Thomas Dicey and Henry Mason or the Survivor of them his executors Administrators and Assigns may and shall by and out of the rents Issues and profits of the same Messuages Lands Tenements and Hereditaments raise and levy and pay such Yearly Sum and Sums of money for the maintenance and Education of such Child or Children (not being an Eldest or only Son in the mean time from the decease of the said [Charles Toll](#) until their said portions shall become payable respectively as to the same Trustees or the Survivor of them his Executors or Administrators sha;; seem meet such Yearly maintenance if but one such Child not exceeding the Interest of his or her portions after the Rate of three pounds per Centum per Annum and if two or more such Children not exceeding the Interest of their respective portions after the Rate of four Pounds Per Centum per Annum and upon this further Trust that they the said // 231 // Thomas Dicey and Henry Mason their Executors Administrators and Assigns shall and do until some or one of the said portions shall become payable permit and suffer such person or persons to whom the next and immediate Reversion or Remainder of the same Premisses expectant upon the same Term of six hundred years shall for the time being belong or appertain by virtue of this my Will (Subject to the payment of the aforesaid annuity or yearly Rent Charge of two hundred pounds to the said **Hester Toll** for her life) to receive and take the Residue and Overplus of the Rents Issues and Profits of the same premisses over and above so much thereof shall from time to time be paid and payable for the Maintenance and Education of such Child or Children as aforesaid provided always and my Will is that in case any of such Children being a Son or Sons shall happen to die under the age of twenty one years or being a daughter or daughters shall die under that age and unmarried then the portion or portions of such of them so dying (as well their Original Shares as what may leave devolved upon them by Survivorship or accruer) shall go and be paid unto and be equally divided amongst the Survivors or Survivor or others or other of them to be paid at such times and in such manner as his her or their Original portion or portions provided also that in case all the said Children shall happen to die before any of their portions shall become payable as aforesaid then and in such case the said Monies so directed to be raised for their portions shall not be raised but shall cease and sink into the Inheritance for the benefit of the person or persons to whom the next and immediate Estate of Freehold or Inheritance expectant on the said Term of six hundred years for the time being shall belong by virtue of the Limitations aforesaid provided also and my Will further is that in case there shall be no Child or Children of the Body of the said [Charles Toll](#) (other than an Eldest or only Son as aforesaid) or there being such other Child or Children all of them shall happen to die before any of their portions become payable or in case the

said Sum or Sums of money before limited or appointed to be raised for the portion or portions of such Child or Children and also such Maintenance in the mean time until the same portion or portions shall become payable or so much of the said Sum or Sums of money as shall be wanted or required to be raised in this respect shall be by the said Trustees their Executors Administrators or Assigns raised and levied by the ways and means in that behalf afore mentioned or shall be paid or Secured to be paid any such person or persons as shall for the time being be next in reversion or Remainder of the same premisses expectant upon the said Term of six hundred years to the good liking of the same Trustees or the Survivor of them or the Executors or Administrators of such Survivor according to the purport and true meaning of this my Will then and in every or any of the said Cases and at all times from thenceforth the said Term of six hundred years of and in the said Messuages Lands Tenements and Hereditaments comprized therein or so much thereof as shall // 231v // remain unsold and undisposed of for the purposes aforesaid shall Cease determine and be utterly void (?) to all intents and purposes any thing herein contained to the Contrary thereof notwithstanding and as for and concerning the said Term of four hundred years herein before limited to the said Sir William Jones and Francis Filmer of and in all the said Messuages Lands Tenements and Hereditaments in the said Counties of Northampton and Gloucester my Will is and I do hereby declare that the same is so limited to them Upon Trust that they the said Sir William Jones and Francis Filmer and the Survivor of them or the Executors or Administrators of such Survivor at any time or times after such time as it shall be ascertained and known that my said personal Estate and my said Messuages Lands Tenements and Hereditaments respectively (other than and Except my said Estates in the Counties of Northampton Gloucester Dorset and Somerset) shall be insufficient for the purposes of paying the said debts Charges Expenses and Legacies herein before by me directed to be paid thereout as aforesaid shall and do by demise Sale or Mortgage of the said Term of four hundred years of and in my said Messuages Lands Tenements and Hereditaments in the said County of Northampton of a competent part thereof raised and Levy or borrow so much Money as shall be sufficient to pay and discharge one full third part of such Insufficiency as aforesaid And also shall and do by demise Sale or Mortgage of the said Term of four hundred years of and in my said Messuages Lands Tenements and Hereditaments in the said County of Gloucester or of a competent part thereof raise and levy or Borrow so much money as shall be sufficient to pay and discharge one other third part of such Insufficiency as aforesaid and shall and do immediately thereupon pay over such several Sums of money so to be raised out of my said several Messuages Lands Tenements and Hereditaments in the said Countys of Northampton and Gloucester unto the said **Sir James Langham** my Executor herein after named to be by him paid and applied together with the other third part which I have herein before directed to be paid by him in making good such Insufficiency as aforesaid and my Will is that as well the surplus Rents and Profits after such Mortgage or Sale as aforesaid as the whole Rents and Profits in the mean time shall be received and taken by the persons intituled to the next immediate Reversion or remainder of and in the same premisses respectively expectant on the same Term of four hundred years under the Limitations in this my Will and from and after raising the said several Sums or from and after such time as it shall appear that my said personal Estate and my said Messuages Lands Tenements and Hereditaments other than and Except my said Estates in the Countys of Northampton Gloucester Dorset and Somerset shall be sufficient for the purpose of paying the said Debts charges Expenses and Legacies then the said Term of four hundred Years of and in the said Messuages Lands Tenements and Hereditaments // 232 // in the said Counties of Northampton and Gloucester respectively or so much thereof as shall remain unsold and undisposed of for the purpose aforesaid shall cease deferment(?) and be utterly void to all intents and purposes any thing herein contained to the contrary thereof in any wise notwithstanding and as for and concerning my said Messuages Lands Tenements and Hereditaments in the said County of Gloucester subject to the said Term of four hundred years I do hereby give and devise the same with all and singular their and every of their Rights Members and Appurtenances and all my Estate and Interest therein to the said [Ashburnham Philip Toll](#) for and during the Term of his natural life without Impeachment of Wast and with such powers as are herein after mentioned with respect thereto and from and after the determination of that Estate I do give and devise the same premises with their and every Rights Members and Appurtenances unto the said Sir Justinian Isham and Sir William Dolben and their Heirs during the life of the said [Ashburnham Philip Toll](#) In Trust to support and preserve the Contingent uses and Estates herein after limited from being defeated or destroyed and for that



purpose to make entries or bring Actions as the case shall require yet nevertheless to permit and suffer the said [Ashburnham Philip Toll](#) and his Assigns during his life to receive and take the Rent and Profits thereof and of every part thereof to and for his and their own use and benefit and from and after the decease of the said [Ashburnham Philip Toll](#) I do give and devise my said Messuages Lands Tenements and Hereditaments in the said County of Gloucester with their and every of their Rights Members and Appurtenances to the first Son of the Body of the said [Ashburnham Philip Toll](#) lawfully to be begotten and the Heirs Male of the Body of such first Son lawfully Issuing and for default of such Issue to the second third fourth and all and every other the Sons (sic) and Sons of the Body of the said [Ashburnham Philip Toll](#) lawfully to be begotten severally successively and in remainder one after another as they and every of them shall be in Seniority of Age and Priority of Birth and the several and respective Heirs Male of the Body and Bodies of all and every such Son and Sons lawfully Issuing the Elder of such Sons and the Heirs Male of his Body to be always preferred and to take before the Younger of such Son and Sons and the Heirs Male of his and their Body and Bodys Issuing and for default of such Issue then I do give and devise my said Messuages Lands Tenements and Hereditaments in the said County of Gloucester with their and every of the Rights Members and Appurtenances to the said [Richard Newman Toll](#) for and during the Term of his natural life without Impeachment of Wast and with such powers as are herein after mentioned with respect thereto and from and after the determination of that Estate I do give and devise the same premisses with their and every of their Rights Members and Appurtenances unto the said Sir Justinian Isham // 232v // and Sir William Dolben and their Heirs during the life of the said [Richard Newman Toll](#) In Trust to support and preserve the Contingent uses and Estates herein after limited from being defeated or destroyed and for that purpose to make Entries or bring Action as the Case shall require yet nevertheless to permit and suffer the said [Richard Newman Toll](#) and his Assigns during his life to receive and take the Rents and Profits thereof and of every part thereof to and for his and their own use and benefit and from and after the decease of the said [Richard Newman Toll](#) I do give and devise my said Messuages Lands Tenements and Hereditaments in the County of Gloucester with their and every of their Rights Members and Appurtenances to the first Son of the Body of the said [Richard Newman Toll](#) lawfully to be begotten and the Heirs Male of the Body of such first Son lawfully Issuing and for default of such Issue to the second third fourth and all and every other the Son and Sons of the Body of the said [Richard Newman Toll](#) lawfully to be begotten severally successively and in remainder one after another as they and every of them shall be in Seniority of age and priority of Birth and the several and respective Heirs Male of his Body to be always preferred and to take before the Younger of such Son and Sons and the Heirs Male of his and their Body and Bodys Issuing and for default of such Issue I do give and devise my said Messuages Lands Tenements and Hereditaments in the said County of Gloucester with their and every of their Rights Members and Appurtenances to the said [Charles Toll](#) for and during the Term of his natural life without Impeachment of Wast and with such powers as are herein after mentioned with respect thereto and from and after the determination of that Estate I do give and devise the same premisses with their and every of their Rights Members and Appurtenances unto the said Sir Justinian Isham and Sir William Dolben and their Heirs during the life of the said [Charles Toll](#) In Trust to support and preserve the Contingent uses and Estates herein after limited from being defeated or destroyed and for that purpose to make Entries or bring Actions as the case shall require Yet nevertheless to permit and suffer the said [Charles Toll](#) and his Assigns during his life to receive and take the Rents and profits thereof and of every part thereof to and for his and their own use and benefit and from and after the decease of the said [Charles Toll](#) I do give and devise all my said Messuages Lands Tenements and Hereditaments in the said County of Gloucester with their and every of their Rights Members and Appurtenances to the first Son of the Body of the said [Charles Toll](#) lawfully to be begotten and the Heirs Male of the Body of such first Son lawfully Issuing and for default of such Issue to the second third fourth and all and every other the Son and Sons of the Body of the said [Charles](#) // 233 // [Toll](#) lawfully to be begotten severally successively and in remainder one after another as they and every of them shall be in Seniority of Age and Priority of Birth and the several and respective Heirs Male of the Body and Bodies of all and every such Son and Sons lawfully Issuing the Elder if such Sons and the Heirs Male of his Body to be always preferred and to take before the Younger of such Son and Sons and the heirs Male of his and their Body and Bodies Issuing and for default of such Issue I do give and devise my said Messuages Lands Tenements and Hereditaments in

the said County of Gloucester with their and every of their Rights Members and Appurtenances unto the Right Heirs of the said [Charles Toll](#) for ever provided always and my Will is that the said [Charles Toll](#) [James Newman Toll](#) [Ashburnham Philip Toll](#) and [Richard Newman Toll](#) and the Heirs Male of their respective Body and Bodies Issuing respectively as and when they shall respectively come into and be in the Actual possession of my said Estates and Premises herein before by me devised as aforesaid or any part thereof by virtue of and under the Limitations aforesaid or any of them shall and do take upon themselves and use the [Sir Name and Arms of Newman](#) and so Write and Stile themselves in all deeds and Writings and upon all occasions whatsoever And in default or Neglect thereof by them or any of them that then all and singular the Premises shall go to and be vested in such person as by virtue of this my Will would be intitled to the possession of the premises in case such person so refusing were dead such person to whom the said premises on such neglect or refusal shall come taking upon him and Continuing the [Sir Name and Arms of Newman](#) Provided also and my Will is that it shall and may be lawful to and for the said [Charles Toll](#) and [James Newman Toll](#) [Ashburnham Philip Toll](#) and [Richard Newman Toll](#) and the Heirs Male of their respective Body and Bodies Issuing respectively as and when they shall respectively come into and be in the actual possession of my said Estates and Premises herein before by me devised as aforesaid by virtue of and under the Limitations aforesaid or any part of them by Indentures to be by them respectively duly Executed under their respective Hands and Seals in the presence of and attested by two or more Credible Witnesses to demise or Lease the same or any part or parts thereof as they shall think proper unto any person or persons for any Term or number of years no Exceeding twenty one years in possession and not in Reversion Remainder or Expectancy so as upon every such Lease there be reserved and made payable during the Continuance thereof respectively the best improved yearly Rent that can be reasonably had for the same without taking any Sum or sums of Money or other things by way of Fine or income for or in respect of such Lease or Leases and so as none of the said Lessees be made dispunishable for least by any Express Words therein to be contained and that in // 233v // every such Lease there be contained a Clause of Revoky (?) for Nonpayment of the Rent or Rents to be thereby respectively reserved and that such Lessee and Lessee to whom such Lease or Leases shall be made Seal and deliver Counterparts of such Lease and Leases And I do hereby authorize and empower the said [James Newman Toll](#) [Ashburnham Philip Toll](#) and [Richard Newman Toll](#) as and when they shall respectively come into and be in the actual possession of my said Estates and premisses herein before by me devised as aforesaid by virtue of and under the Limitations aforesaid or any of them by any deed or writing deeds or writings to be by them respectively duly Executed under their respective Hands and Seals in the presence of and attested by two or more Credible Witnesses respectively to Grant Settle Limit or appoint one or more Annuity or Annuities or Yearly Rents Charges to be Issuing and payable out of all or any of my said Estates and premisses herein before by me devised as aforesaid Tax free and without any deduction not Exceeding in the whole the Sum of two hundred pounds a year unto or in Trust for or to the use of any Woman or Women with whom they have already or hereafter shall respectively happen to Marry (either before or after such Marriage) for the life of every such Woman for her Jointure or in part of Jointure and in Barr of her and their dower or dowers and to take Effect immediately after the respective deaths of the said [James Newman Toll](#) [Ashburnham Philip Toll](#) and [Richard Newman Toll](#) with such powers and Remedies for Recovery of such Annuity when in Arrear and such Terms of years for better Securing the due payment thereof as are usual in such cases and to be paid at such days and times as the said [James Newman Toll](#) [Ashburnham Philip Toll](#) and [Richard Newman Toll](#) shall respectively appoint and I do hereby give and bequeath all the Rest Residue and Remainder of my Estates Effects as well Real as Personal and of what nature or kind soever not herein before by me given or disposed of unto the said **Sir James Langham** his Heirs Executors Administrators and Assigns to and for his and their own proper use and benefit and I do hereby constitute and appoint the said **Sir James Langham** Sole Executor of this my last Will and Testament and do hereby revoke all former Wills by me at any time heretofore made and Lastly I do hereby direct and declare that neither the said **Sir James Langham** nor any of my Trustees herein before names or their or any or either of their Heirs Executors or Administrators shall be charged or Chargeable with or Accountable for any more Moneys or Effects than they shall respectively actually receive by virtue of the Trusts in this my Will nor any of them for the acts deeds Receipts or defaults of the other of them but each of them for his own Acts deeds Receipts and

defaults only also that it shall and may be lawful to and for the said **Sir James Langham** and my said several Trustees and each // 234 // and every of them and their and each and every of their Heirs Executors or Administrators to deduct and reimburse him and themselves in the first place by and out of the Monies which shall be received by them respectively All such Costs Charges and Expenses which he they or any of them shall or may sustain extend or be put unto by reason or means of the performance of the Trusts and Executorship in this my Will or any matter or thing relating thereunto In Witness whereof I the said [Frances Newman](#) to this my last Will and Testament contained in seven sheets of parchment have set my Hand and Seal the seventh day of July in the year of our Lord one thousand seven hundred and seventy four [Frances Newman](#) This Writing contained in seven Skins of parchment was signed and Sealed by the within named [Frances Newman](#) and by her published and declared as and for her last Will and Testament in the presence of us what have hereunder Subscribed our Names as Witnesses thereto in her presence Jas Hook of Bridge Street Westmr Coal Mercht Richd Godfree of New Palace Yard Westmr John Hills of Carnaby Street Olden Square Broker.

**Whereas I [Frances Newman](#)** of Old Palace Yard Westminster in the County of Middlesex have made my last Will and Testament in writing bearing date the seventh day of July in the year of our Lord one thousand seven hundred and seventy four and have hereby given and devised all my Messuages Lands Tenements and Hereditaments as well Freehold of Inheritance as Leasehold for lives or otherwise in the Parish of Fifehead Magdalen or elsewhere in the County of Dorset with their Appurtenances unto **Sir James Langham Baronet** in my said Will named his Heirs Executors Administrators and Assigns to and chargeable with the payment of certain Sums and Money therein mentioned upon the Contingencies therein Expressed and Whereas since the making of my said writed Will I have obtained from the Right Reverend the Lord Bishop of Bristol a new Lease for certain lives of the Manor of Fifehead Magdalen and other Hereditaments therein specified with the Appurtenances in the County of Dorset (being part of my said Messuages Lands Tenements and Hereditaments in my said Will Comprized) upon my Surrendering to his Lordship the former Lease thereof Now I do hereby give devise and bequeath the said Manor and all and singular other the Hereditaments and Premises to me granted by such new Lease with all and singular their and every of their Rights Members and Appurtenances and all my Estate and Interest unto the said **Sir James Langham** his Heirs Executors Administrators and Assigns To and for the same uses Intents and purposes and under and subject to the Charges and payments as in and by my said verified Will and Testament are mentioned expressed and declared of and concerning my said several Messuages Tenements // 234v // and Hereditaments in my said Will Comprized in the said County of Dorset In Witness whereof I the said [Frances Newman](#) have hereunto set my Hand and Seal this third day of January in the year of our Lord one thousand seven hundred and seventy five [F Newman](#) (Seal) This Writing was Signed and Sealed by the above mentioned [Frances Newman](#) and by her published and declared as and for a Codicil to her last Will and Testament in the presence of us who have hereunder Subscribed our Names as Witnesses thereto in her Presence Richd Godfree, Jas Hook, John Hills

**Whereas I [Frances Newman](#)** of Old Palace Yard Westminster in the County of Middlesex have made my last Will and Testament in writing bearing date the seventh day of July in the year of our Lord one thousand seven hundred and seventy four and also a Codicil thereto bearing the date the third day of January last past Mow I do by this present Writing (which I declare to be a second Codicil to my said Will and I do direct to be taken as part thereof) desire and order that I may be buried in a decent and handsome manner and that my Executor in my said Will named shall and do Expend in and about my Funeral the sum of three hundred pounds at the least and Whereas I have by my said Will given unto to Francis Filmer Esquire and Henry Mason Gentleman in my said Will named the sum of five hundred pounds upon Trust to place the same out at Interest in three per Centum Bank Consolidated Annuities and to pay the dividends Interest and produce thereof unto **Mary Bulley** the wife of John Bulley of Reading in the County of Berks Surgeon or to permit her to receive the same for her life and after her death in Trust for other purposes in my said Will particularly mentioned Now I do hereby give unto the said Francis Filmer and Henry Mason the further Sum of five hundred pounds of lawful Money of Great Britain Upon the same Trusts and to and for the same uses intents and purposes as I have by my said Will given to them the said other sum of five hundred pounds And Whereas I have by my said Will

given unto the said Francis Filmer and Henry Mason the Sum of one thousand pounds upon Trust to place the same out at Interest in three per Centum Bank Consolidated Annuities and to pay the dividends Interest and produce thereof unto Catherine the wife of Captain Watson (formerly Catherine Samwell) or to permit her to receive the same for her life and after her death in Trust for other purposes in my said Will particularly mentioned Now I do hereby give unto the said Francis Filmer and Henry Mason the further Sum of five hundred pounds of lawful Money of Great Britain Upon the same Trusts and to and for the same uses Intents and purposes as I have by my // 235 // said will given to them the said Re\_ited sum of one thous<sup>d</sup> pounds and I do hereby give unto Wenman Samwell of Scaldwell in the County of Northampton Esq<sup>r</sup> the further sum of five hundred pounds of lawful money of Great Britain over and above the sum of five hundred pound which I have given to him in and by my said will and I do hereby revoke and make void the sum of five hundred pounds part of the Legacy or sum of two thousands which I have by my said will given unto **Miss Jane Toll**<sup>14</sup> of London my present intentions being that she shall have and receive under my said will only the sum of fifteen hundred pounds and no more. And I do hereby also revoke and make void the sum of three thousand pounds part of the legacy or sum of five thousand pounds part of the legacy of sum of five thousand pounds which I have in and by my said will given until [Ashburnham Newman Toll](#) of London for his own use my present intention being that he shall have and receive under my said will for his own use only the sum of two thousand pounds and no more over and above what he may be intitled to of the legacy or sum of four thousand pounds which I have in and by my said will given In Trust for him and his children in the manner in my said will mentioned. And I do hereby give unto and amongst all and every his child and children of [Frances Newman](#) of Cadbury in the County of Somerset Esquire which shall be living at the time my decease the sum of one thousand pounds of lawfull money of Great Britain to be equally divided between or amongst them if more than one share and share alike and if but one then the whole to such only child and I do hereby give unto and amongst all the every the child and children of the [Reverend Mr H: Newman](#) of Hinckley in the County of Leicester which shall be living at the time of my decease the sum of one thousand pounds of like lawful money to be equally divided between or amongst them if more than one share and share alike and if but one then the whole to such only child and I do hereby direct that the said several Legacies or Sums of money so by me hereby given shall be raised and paid within the space of one year next after my decease in the same manner and out of the same estates as the several pecuniary Legacies by me given in and by my said Will and therein and thereby directed to be raised and paid and my Will further is and I do hereby expressly order and direct that the shares of such of the children of the [said] [Francis Newman](#) and [H: Newman](#) respectively of and in the respective Legacies of one thousand pounds and one thousand pounds above bequeathed as shall happen to be Infants and incapable of giving proper acquittances for the same at the time for payment above directed shall be paid to the hands of the Father or Guardian of such children respectively for the benefit of such children respectively and that the Receipt and Receipts of such Father or Guardian respectively shall be a compleat discharge to my Executor for the same so that he // 235v // shall in no wise be further responsible for any loss or Misapplication of the same And I do hereby ratify and confirm my said Will and former Codicil and all the Gifts devises bequests matters and things contained and not hereby altered or revoked In Witness whereof I the said [Frances Newman](#) have hereunto set my Hand and Seal this twelfth say of April in the year of our Lord one thousand seven hundred and seventy five [F Newman](#) (Seal) This Writing is as Signed and Sealed by the above named [Frances Newman](#) and by her published and declared and as for a Codicil to her last Will and Testament in the presence of us who have hereunder Subscribed our Names as witnesses thereto in her presence Rd Godfree, Jas Hook, John Hills.

This Will is as proved at London with two Codicils the sixteenth day of September in the year of our Lord one thousand seven hundred and seventy five before the Worshipful Francis Simpson Doctor of Laws Surrogate of the Right Worshipful Sir George May Knight Also Doctor of Laws Master Keeper or Commissary of the Prerogative Court of Canterbury lawfully constituted by the Oath of **Sir James Langham Baronet** the sole Executor named in the said Will to whom Administration of all and singular the Goods Chattels and Credits of the deceased was granted having been first sworn to Administer.

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<sup>14</sup> Jane Toll was the younger daughter of [Edmund Toll](#).

